

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

IN RE MERCK & CO., INC., SECURITIES, DERIVATIVE  
& "ERISA" LITIGATION

MDL No. 1658 (SRC)

THIS DOCUMENT RELATES TO:  
THE CONSOLIDATED SECURITIES ACTION

Case No. 2:05-CV-01151-SRC-CLW  
Case No. 2:05-CV-02367-SRC-CLW

**[PROPOSED] ORDER GRANTING DEFENDANTS' MOTION TO FILE UNDER SEAL  
CERTAIN MATERIALS FILED IN SUPPORT OF DEFENDANTS' APPEAL OF THE  
OCTOBER 5, 2012 DECISION OF THE MAGISTRATE JUDGE**

Defendants Merck & Co., Inc., Raymond V. Gilmartin, Peter S. Kim, Alise S. Reicin, Judy C. Lewent, Kenneth C. Frazier, Richard C. Henriques, Jr., David Anstice, Per Wold-Olsen, Lawrence A. Bossidy, William G. Bowen, Johnnetta B. Cole, Niall FitzGerald, William B. Harrison, Jr., William N. Kelley, Heidi G. Miller, Thomas E. Shenk, Anne M. Tatlock, and Samuel O. Thier (collectively, "Defendants") in the above-captioned action, having moved for entry of an order granting leave to file under seal (1) the confidential portions of Defendants' Memorandum of Law in Support of Defendants' Appeal of the October 5, 2012 Decision of the Magistrate Judge; and (2) Exhibits 1 and 2 accompanying the Declaration of Matthew J. Boggess in Support of Defendants' Appeal of the October 5, 2012 Decision of the Magistrate Judge; and this Court having considered the papers submitted, and for good cause shown,

IT IS HEREBY ORDERED that Defendants' Motion to file under seal be, and hereby is, GRANTED in its entirety.

The Clerk of Court should terminate docket numbers 373 in the 05-1159 matter and 416 in the 05-2367 matter

January 25, 2013

A handwritten signature in dark ink, appearing to read "Cathy L. Waldor", written over a horizontal line.

Cathy L. Waldor  
United States Magistrate Judge